

Wednesday November 19, 2014

Hosted by the DEC

1st floor conference room 555 Cordova St. Anchorage with teleconference

Attendees in Anchorage: Charley Palmer (DEC), Chris Miller (DEC), Rebecca Baril (DEC), Jeff Warner (DEC), Wayne Westberg (WWC), Bill Kranich (WWC), David Schade (DNR)

Attendees via teleconference line: Jim Munter (Hydrogeologist/Consultant), Pamela Goode (Private Citizen), James Squyres (Private Citizen), John Craven (Public Water System Officer/Operator), Lee Ice (WWC), Chuck Ice (WWC), Roy Robertson (DEC), Craig Seime (WWC), Ted Schacle (WWC), Dan Brotherton (WWC), John Bonacor (WWC)

Meeting Minutes

Facilitator: Jeff Warner

Introduction

- Roll Call
- Review of minutes
 - Decommissioning BMPS
 - Charley: So far there have been 10 votes submitted for the Decommissioning BMPs as they were after the last meeting. Comments have been trickling in since then. This is the last chance for comments from everyone. 8 have accepted and 2 have opposed, so far.
 - James: I was ok with the version sent out originally, but then comments were being provided, and I was confused as to what I would be signing.
 - Charley: Let's go through all the comments. First comment: Inconsistencies through terminology used in the document, e.g., methods, standards, procedures, are all used interchangeably.
 - John suggested the use of practices with general agreement from the group.
 - Charley: Next comment – Definition of groundwater. Replace “whatever may be” with “regardless of”.
 - No objections
 - Charley: Next comment – Definition of sanitary ground seal, after the word “borehole” add “wall or surrounding material”
 - No objections
 - Wayne: Should we define water well contractor?
 - James: We should remember that this is for how to decommission a well for anyone to perform.
 - Charley: In the purpose it is stated that this is for a licensed engineer or contractor.
 - Pam: I recommend we remove that portion of the purpose so that this is instructions for anyone on how to perform the proper decommissioning of a well.

- Jim: That is a good suggestion, to take out the “who” and leave the “what”.
- John: We have to make sure that the practice will be preserved. This is going to be reviewed by agencies and we want to ensure that the practices we are proposing are preserved as-is.
- General agreement was given to removing the “licensed engineer or contractor” portion of the purpose.
- Charley: Next comment – remove the first 5 lines of the disclaimer. It’s not really the place for it. The letter describes the intent of our proposal. The General Standards section and all following are all improperly numbered. “General Standards” also needs to be changed to “General Practices”. To clarify, are we also removing the “who” from this portion?
 - David: We talked in the past about keeping it as generic as possible, so recommend leaving this portion out. We keep in a “follow all applicable rules” note in the document that plays a catch all for other rules outside of this.
 - Charley: Understand the reason to leave it out, but we don’t we want to ensure that this is being done by someone with some knowledge about wells and aquifers? So we are talking about leaving it out but adding “water” in front of “well” in the 4th line, and changing “procedures” to “practices”.
 - John: If we take out the licensed engineer portion in the beginning of the document, this document applies to anyone on the street, without any knowledge of how to properly preform these practices.
- Charley: Next comment – Deep wells and requiring sealing wells from the bottom up with bentonite. Concerns of this practice being expensive and discouraging proper decommissioning altogether.
 - Dan: Clarified that this comment was about using bentonite to fill the entire borehole and how expensive it would be. Also, the DEC Fairbanks office is not requiring this currently, but instead is requiring no bentonite in the screened area, just clean gravel with a bentonite plug above it and in the top few feet and the rest being filled with clean sand or gravel.
 - Wayne: Currently, two schools of thought. The first, believes to grout from the bottom up. The second, believes that you shouldn’t introduce bentonite into the aquifer so uses gravel first then caps with bentonite.
 - Ted: How we currently perform decommissioning is through alternating layers of gravel and bentonite until the top is reached, where we then cap and seal.
 - Charley: We could consider writing this in such a way that the A100 standard currently states. Use a guiding principle that doesn’t go too far into the practice specifics. “Return as best as possible to natural conditions”
 - Wayne: I can draft up a practice quickly that specifies multiple layers with bentonite and scrounge gravel.
 - Bill: I suggest we add the guiding principle as well.
 - Charley: Does the group want the added guiding principle?

- Jim: This would allow for the person performing to be creative in harder situations.
- General agreement to Wayne writing practices, and Charley adding a guiding principle.
- Charley: Next comment – Attach a DNR Decommissioning Record form as part of the document. The problem with this is that some people will photocopy this and use it without checking for updated versions.
 - Ted: Do we even need the form?
 - Wayne: We could just specify the fields we want on the turned in record.
 - Charley: We already specify that we need a record using the form or based on the elements on DNR's form.
 - David: We did that for a reason. To keep it simple. I would say a website link might suffice
 - Pam: Is this record required? Why is it required? What is the purpose?
 - Charley: Maintaining a record of decommissioning is currently required by regulation by DEC and DNR for all systems. DNR requires that it be turned in.
 - David: It's currently required but not heavily enforced. It is part of our effort to protect the aquifer.
 - Bill: Run into issues where an aquifer seems it should be clean and protected, but come to find out it's contaminated due to an undocumented, improperly decommissioned well nearby.
 - David: We have to know what's in and out of service so we can know what's available. This record protects the person that decommissions and the State as well as everyone else.
 - Charley: We could provide the record as an attachment to the submittal rather than the actual BMP.
 - Pam: It says file with both DEC and DNR. Is that really necessary?
 - Wayne: I think she has a point. I think we should submit it to 1 place and then it is the agencies' responsibility from there to make sure it is distributed.
 - Charley: I think it's ok to take DEC out and leave DNR.
 - Pam: What about the poor guy who doesn't fill out the form, and is now a criminal?
 - Wayne: Question posed to the group, should we take out the entire section about records?
 - Charley: Added that we could leave it in and instead add that documenting and maintaining records is needed. The part about turning them in can be addressed in later discussions.
 - The group agreed to this.
- Charley: So when we have all these parts finished, what is our deadline?
 - Aim for having final revisions done as soon as possible and sent out to the group (by the end of the week??).
 - Comments are due back by December 1st.
 - Signatures dated by December 15th.

Issues and Concerns

- Well Construction BMPs
 - Charley: Same inconsistencies with methods/standards/procedures throughout the document.
 - General agreement to use “practices”, as in decommissioning BMP.
 - Charley: There was a comment on the use of “shall” vs. “should” in the document.
 - Wayne: I think that depends on each situation.
 - John: For the introduction to the definitions, “will” is appropriate because these are the definitions we are setting forward as to how they will be used throughout the document.
 - James: The abandoned well definition should be changed to match the decommissioning definition.
 - Charley: Also should use the full title and in quotes for the Decommissioning “Best Management Practices” since it is a title.
 - Charley: ADEC – should be “Conservation” not “Conversation”.
 - Charley: For “annular space” should it say inside and outside of casing.
 - Wayne: Yes, add “or between two casings”.
 - Charley: Regulation references in the definitions, believe we discussed not including these.
 - David: Yes, I remember agreeing to remove them.
 - Charley: Domestic use – re-word “non-public water system” to say “water not used for a public water system”.
 - John: What’s water for a public water system, if it’s not for public use?
 - Wayne: That’s a good point, maybe we should just scratch it?
 - Charley: We can change the wording for now and potentially scratch if we find it doesn’t apply later in the document.
 - Jim: It’s in there because this document is based on MOA standards.
 - Charley: There are also a lot of definitions tied together, such as human consumption.
 - Charley: Dry grout – I have also seen “dry driven grout” method. Could this cause confusion with dumping vs. being driven in.
 - Wayne: This is a national term.
 - Jim: Driven is clarified in the definition.
 - Bill: Engineer – The state does not certify engineers as knowledgeable, so that should be removed. Recommend ending it after “8.08”.
 - Wayne: The state should certify them, though.
 - David: Groundwater – “whatever may be” with “regardless of”.
 - Bill: GWUDI definition?
 - Charley: It should be “direct” influence. All groundwater is influenced by surface water. The GWUDI definition is specifically spelled out by the EPA’s Code of Federal Regulations (CFR). This could be one other definition we flag for removal if it isn’t used in the rest of the document.
 - Ran out of time to continue discussion.

Wrap-up and next Meeting

- The next meeting was agreed to be held **Thursday December 18th, 2014 6-8pm.**

Action Items:

- Update private water well website with revised wording on water rights.
- Decommissioning BMPs
 - Wayne to edit the “General Practices” for layering gravel and bentonite.
 - Charley to add a guiding principle.
 - Final will be sent around for signatures to be collected by Dec. 15th
- Well Construction BMPs
 - Charley (?) / Wayne (?) – Make edits as discussed
 - Who would make these changes wasn’t decided. Charley will follow up with Wayne and will determine who will make changes.
 - Everyone continue to review and prepare for next meeting’s discussion.
- **Next Meeting is Thursday, December 18, 2014 6:00-8:00pm**